

THE SOS AFRICA WESTERN CAPE TRUST



PAIA MANUAL

**Prepared in terms of section 51 of the
Promotion of Access to Information Act
2 of 2000 (as amended)**

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1. LIST OF ACRONYMS AND ABBREVIATIONS

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|------|---------------------|--|
| 1.1 | “CEO” | Chief Executive Officer |
| 1.2 | “IO” | Information Officer |
| 1.3 | “Minister” | Minister of Justice and Correctional Services |
| 1.4 | “PAIA” | Promotion of Access to Information Act No. 2 of 2000(as Amended) |
| 1.5 | “POPIA” | Protection of Personal Information Act No.4 of 2013 |
| 1.6 | “Regulator” | Information Regulator |
| 1.7 | “Republic” | Republic of South Africa |
| 1.8 | “SOS Africa” | The SOS Africa Western Cape Trust |
| 1.9 | “NPO” | Nonprofit Organisation |
| 1.10 | “PBO” | Public Benefit Organisation |

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

- 2.1 check the categories of records held by a body which are available without a person having to submit a formal PAIA request;
- 2.2 have a sufficient understanding of how to make a request for access to a record of the body, by providing a description of the subjects on which the body holds records and the categories of records held on each subject;
- 2.3 know the description of the records of the body which are available in accordance with any other legislation;
- 2.4 access all the relevant contact details of the Information Officer and Deputy Information Officer who will assist the public with the records they intend to access;
- 2.5 know the description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.6 know if the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.7 know the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 know the recipients or categories of recipients to whom the personal information may be supplied;
- 2.9 know if the body has planned to transfer or process personal information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and
- 2.10 know whether the body has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF SOS AFRICA

3.1. Chief Information Officer

Name: Dr Matthew David Crowcombe
 Tel: +27 82 517 7762
 Email: matt@sosafrica.com

3.2. Deputy Information and Admin Officer

Name: Rae Morris
 Tel: +27 76 959 4250
 Email: westerncape@sosafrica.com

3.3. Access to information general contacts

Email: westerncape@sosafrica.com

3.4. Head Office

Postal Address: 18 Blue Gum Avenue
 Mountainside
 Gordons Bay 7151

Physical Address: 18 Blue Gum Avenue
 Mountainside
 Gordons Bay 7140

Telephone: CEO +27 82 517 7762
 Operations +27 63 798 9130
 Admin and Finance +27 76 959 4250

Email: westerncape@sosafrica.com

Website: <https://www.sosafrica.com/>

4. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

- 4.1. The Regulator has, in terms of section 10(1) of PAIA, as amended, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 4.2. The Guide is available in each of the official languages and in braille.
- 4.3. The aforesaid Guide contains the description of:
 - 4.3.1. the objects of PAIA and POPIA;
 - 4.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of:
 - 4.3.2.1. the Information Officer of every public body, and
 - 4.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA¹ and section 56 of POPIA²;
 - 4.3.3. the manner and form of a request for-
 - 4.3.3.1. access to a record of a public body contemplated in section 11³; and
 - 4.3.3.2. access to a record of a private body contemplated in section 50⁴;
 - 4.3.4. the assistance available from the IO of a public body in terms of PAIA and POPIA;
 - 4.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;
 - 4.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging:
 - 4.3.6.1. an internal appeal;
 - 4.3.6.2. a complaint to the Regulator; and
 - 4.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

¹ Section 17(1) of PAIA- *For the purposes of PAIA, each public body must, subject to legislation governing the employment of personnel of the public body concerned, designate such number of persons as deputy information officers as are necessary to render the public body as accessible as reasonably possible for requesters of its records.*

² Section 56(a) of POPIA- *Each public and private body must make provision, in the manner prescribed in section 17 of the Promotion of Access to Information Act, with the necessary changes, for the designation of such a number of persons, if any, as deputy information officers as is necessary to perform the duties and responsibilities as set out in section 55(1) of POPIA.*

³ Section 11(1) of PAIA- *A requester must be given access to a record of a public body if that requester complies with all the procedural requirements in PAIA relating to a request for access to that record; and access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

⁴ Section 50(1) of PAIA- *A requester must be given access to any record of a private body if-*

- a) *that record is required for the exercise or protection of any rights;*
- b) *that person complies with the procedural requirements in PAIA relating to a request for access to that record; and*
- c) *access to that record is not refused in terms of any ground for refusal contemplated in Chapter 4 of this Part.*

- 4.3.7. the provisions of sections 145 and 516 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
 - 4.3.8. the provisions of sections 15⁷ and 52⁸ providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
 - 4.3.9. the notices issued in terms of sections 22⁹ and 54¹⁰ regarding fees to be paid in relation to requests for access; and
 - 4.3.10. the regulations made in terms of section 92¹¹.
- 4.4. Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 4.5. The Guide can also be obtained:
- 4.5.1. upon request to the Information Officer;
 - 4.5.2. from the website of the Regulator: <https://www.justice.gov.za/inforeg/>.
- 4.6 A copy of the Guide is currently only available in the following official language, for public inspection during normal office hours:
- 4.6.1 English
- A copy of the Guide is being translated into a second official language (Afrikaans) and will be available shortly for public inspection during normal office hours.

⁵ Section 14(1) of PAIA- The information officer of a public body must, in at least three official languages, make available a manual containing information listed in paragraph 4 above.

⁶ Section 51(1) of PAIA- The head of a private body must make available a manual containing the description of the information listed in paragraph 4 above.

⁷ Section 15(1) of PAIA- The information officer of a public body, must make available in the prescribed manner a description of the categories of records of the public body that are automatically available without a person having to request access

⁸ Section 52(1) of PAIA- The head of a private body may, on a voluntary basis, make available in the prescribed manner a description of the categories of records of the private body that are automatically available without a person having to request access

⁹ Section 22(1) of PAIA- The information officer of a public body to whom a request for access is made, must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹⁰ Section 54(1) of PAIA- The head of a private body to whom a request for access is made must by notice require the requester to pay the prescribed request fee (if any), before further processing the request.

¹¹ Section 92(1) of PAIA provides that –“The Minister may, by notice in the Gazette, make regulations regarding-

- (a) any matter which is required or permitted by this Act to be prescribed;
- (b) any matter relating to the fees contemplated in sections 22 and 54;
- (c) any notice required by this Act;
- (d) uniform criteria to be applied by the information officer of a public body when deciding which categories of records are to be made available in terms of section 15; and
- (e) any administrative or procedural matter necessary to give effect to the provisions of this Act.”

5. CATEGORIES OF RECORDS OF SOS AFRICA WHICH ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST ACCESS

Category of Records	Types of Record	Available on the Website	Available upon request
Service Provision	Information	X	X
How to ... donate/sponsor/raise funds	Information	X	X
Fundraising Events	Information	X	X
Organisation Contact Details	Phone numbers Email addresses Physical addresses	X	X

6. DESCRIPTION OF THE RECORDS OF SOS AFRICA WHICH ARE AVAILABLE IN ACCORDANCE WITH ANY OTHER LEGISLATION

Category of Records	Applicable Legislation
NPO	The Nonprofit Organisation Amendment Act 17 of 2000
PBO	Income Tax Act No. 58 of 1962
Recruitment and Employment	Labour Relations Act, 1995 (LRA) Employment Equity Act 55 of 1998 (EEA) Basic Conditions of Employment Act 75 of 1997 (BCEA) Unemployment Insurance Act, 63 of 2001 Unemployment Insurance Contributions Act, 4 of 2002 Compensation for Occupational Injuries and Diseases Act, No 130 of 1993
Protection of Children	Children's Act, (No. 38 of 2005) South African Schools Act 84 of 1996
Personal Information	Protection of Personal Information Act (No. 4 of 2013) Promotion of Access to Information Act 2 of 2000

7. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD ON EACH SUBJECT BY SOS AFRICA

Subjects on which the body holds records	Categories of records
Operations Manual	Annual Reports Registrations Licences Deed of Transfer Policies and Protocols Employee Job Descriptions Employee Organigram Vehicle Documentation and Registrations Partner Agreements Insurance with Inventories
Children and their Families	Children's Records Child Selection/Indemnity/Release Child Assessment
Personnel	Employee Records Consultant/Provider Records Trustee Records Recruitment Records
Finances	Annual Financial Statements Banking Budgets

8. PROCESSING OF PERSONAL INFORMATION

8.1. Purpose of Processing Personal Information

Categories of Data Subjects	Why Personal Information is processed
Trustees	enable communication provide good governance; approve and facilitate operations and transactions with providers/partners as required
Employees	enable communication on recruitment: perform reference checking while employed: enable training; process payment of salaries and taxes; access those specified as emergency contacts; draw on experience and qualifications
Children and their Families	enable communication on selection: enable verification and assessment while sponsored: enable service provision; provide transport

8.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be processed
Trustees	name; addresses; phone numbers; ID number/passport details
Employees	name; addresses; phone numbers; ID number; nationality; bank details; tax number; in case of emergency contact details; marital status; gender; number of dependents; education and qualifications; previous employment summary; skills; interests; criminal clearances
Children	names; ID numbers; school attending and grade; gender; race; assessment results; details of health
Children's Families	names; ID numbers; addresses; phone numbers; nationality; religious affiliation; marital status; proof of income/unemployment/payments of grants/residence/legal guardian or foster parent where applicable; details of home and furnishing; place of employment with addresses and contact details; household income

8.3. The recipients or categories of recipients to whom the personal information may be supplied

Category of personal information	Recipients or Categories of Recipients to whom the personal information may be supplied
Employee ID number and names <ul style="list-style-type: none"> • Police Clearance • Form 29/30 checks • enrolment on courses 	South African Police Services DSD Applicable training institutions
Employee ID number, names, employment information, address, bank and tax details	Payroll accountants
Trustee ID/passport number and names <ul style="list-style-type: none"> • Good governance • Banking • Applications on behalf of SOS 	DSD SARS Banking institutions wherever Trustee approval/authority is required
Child ID number and names	School registration; payment of fees; provision of medical facilities (eg. dentist, doctor); participation in extracurricular activities (eg. kung fu, yoga, OT)
Families ID number and names	School registration; provision of medical facilities (eg. dentist, doctor); unpredictable; emergency situations

8.4. Planned transborder flows of personal information

All physical information is stored inside the Republic on secure online Cloud storage.

All information stored by SOS is only accessed by high level employees and Trustees in the Republic and in the United Kingdom.

8.5. General description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information

8.5.1. Storage

8.5.1.1. Trustees and Employees

- Stored on Admin&Finance Manager's computer password protected with Norton antivirus; use made of MS365 OneDrive with specified access only
- Archives regularly cleaned – manually

8.5.1.2. Children and their Families

- Stored on Operations Manager's computer password protected with Norton antivirus; use made of MS365 OneDrive with specified access only
- Archives regularly cleaned – manually

8.5.2. Access

- Trustee Records can be access by CEO, Trustees and the Admin and Finance Manager
- Employee Records can be accessed by CEO and the Admin and Finance Manager
- Children's Records can be accessed by CEO, Admin and Finance Manager, Operations Manager and Operations Admin Assistant

8.5.3. Retention

- Employees (all records retained for 5 years for tax purposes)
- Trustees (removed on termination)
- Job applicants covered by Policy (removed when one applicant is employed!)

8.5.4. How informed

- All existing Employees/Providers/Consultants/Trustees sign a policy statement for consent
- The SOS Africa Information Privacy Policy and Statement is referred to in all new employment contracts
- Those with access to personal information have a confidentiality clause in their employment contract
- Children and their Families sign indemnity forms at the start of the sponsorship and these are re-signed annually
- Sponsors can refer to:
<https://www.sosafrica.com/privacy-policy.htm>

8.5.5. Additional considerations

Instructions are given to employees who use their own personal numbers for internal communications.

9. AVAILABILITY OF THE MANUAL

- 9.1. A copy of the Manual is available at
 - 9.1.1. <https://www.sosafrica.com/>;
 - 9.1.2. Head Office of SOS Africa for public inspection during normal business hours;
 - 9.1.3. to any person upon request and upon the payment of a reasonable prescribed fee; and
 - 9.1.4. to the Information Regulator upon request.
- 9.2. A fee for a copy of the Manual, as contemplated in annexure B of the Regulations, shall be payable per each A4-size photocopy made.

10. UPDATING OF THE MANUAL

The Admin and Finance Manager of SOS Africa will on a regular basis update this manual.

Issued by



Dr Matthew David Crowcombe
CEO

